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Short and Useful Account

Books

Reviewed by

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As a foreign service officer, the reviewer wrote a study of pacification that became a part of the Pentagon Papers. He is now the new managing editor of Foreign Policy.

THE PAPERS & THE PAPERS: An Account of the Legal and Political Battle over the Pentagon Papers. By Sanford J. Ungar.

(Dutton, 319 pp., $7.95)

In the summer of 1967, Secretary of Defense Robert McNamara had made up a list of about 100 basic questions about the Vietnamese war, and wanted a small group under the direction of Leslie Gelb, a mid-level civilian official in the Pentagon, to produce answers quickly. No names would be attached to the result, not even Mr. McNamara would know who worked on which section, and only one copy would be made of the final responses. The very existence of the study would be top secret.

The questions seemed to fall into several categories. Most reflected the charges of both the left and the right—charges one could anticipate would be part of the 1968 presidential campaign. Other questions were of a broader nature, and opened the issue of the origins and evolution of our involvement in Indochina.

Some funny things happened to those 100 "dirty questions" and the studies they eventually produced!

• The questions were gradually transformed into analytical studies concentrating on the decision-making background of the war.

• Several copies were made and distributed outside the Pentagon, and one member of the group conveyed almost one entire set to The New York Times.

• The Nixon administration deliberately provoked one of the most important confrontations between the government and the press in our history—and lost.

• A U.S. senator consciously set out to defy some long-standing traditions of the Congress, even at the risk of censure.

• Some new understandings of how we trapped ourselves in that war began to emerge.

And so on. The story is far from over, and still only partially understood. Whatever Daniel Ellsberg's motives, he set in motion events over which neither he nor anyone else could exert any control, and we will have to wait a long time before assessing the full consequences of the Pentagon Paper caper.

Meanwhile, Sanford Ungar has written a short and useful account of it. Don't look for many insights or much analysis in Ungar's book; they aren't there, and scarcely could be, given the time pressure under which he obviously was working. This is instant history. No one should expect to find the complete story. What you will find is a good, quick review of the drama, a preface to more profound studies which I hope will be done.

Ungar is particularly interesting in his description of the man who may ultimately turn out to be the sleeper of the whole affair, Sen. Mike Gravel of Alaska. By defying tradition and risking his political career, Gravel assured that henceforth, if a similar situation arose, he would be ready, willing and able to act, while protected by congressional immunity.

His recent efforts to place in the Congressional Record National Security Study Memorandum One, of which The Washington Post recently printed only a small part, testify to his determination.

The advocates of a more open government have obviously found an important [illegible] scribes in fascinating detail how Gravel first tried to put the papers before the Senate during an all-night filibuster, but then, when thwarted by Robert Griffin of Michigan, resorted to the extraordinary device of calling a night session of the subcommittee on buildings and grounds of the Senate Public Works Committee, of which he was chairman. (He called it "probably the most historic meeting of the buildings and grounds subcommittee in its history.")

Ungar also does a fine job reviewing the legal battles, still incomplete, which have swirled around the case. He shows the confusion within the Executive Branch over how to handle the challenge of the newspapers. He portrays the two greatest newspapers in America, the New York Times and The Washington Post, as unsure of what to do with the material they had, once their lawyers each told them they might be violating the law if they published.

Whether the decisions to publish were quite as close as Ungar suggests, particularly at his own paper, The Post, is hard to determine. I believe that the Post *had* to print its stories, and that the debate, while undoubtedly heated and conducted under the most emotional conditions, had a pre-determined outcome, (just as so many of the heated battles within the government over the conduct of the war, as revealed by the Pentagon Papers themselves, were really skirmishes of little import; the continuity of policy suggests that the outcomes were really foregone conclusions).

Ungar's explanation of the origins of the project is weak; he apparently was unable to shed additional light in ordering it. He also fails to follow up on the remarkable point that there was almost no public reaction to The Times' series until the Justice Department moved against the newspaper in the courts.

Ungar incorrectly credits Daniel Ellsberg with originating the so-called "anti-quagmire" theory of how we got involved, although this theory was first formulated by Gelb, and he and Ellsberg continue to differ on certain important details. Ungar demonstrates the weakness of the entire classification system which leads to the ridiculous over-classifications of so much material, but does not adequately explore the issue. And he does not examine at all the important after effects of the leak on the internal workings of the federal bureaucracy.

Finally, near the book's end, Ungar describes the 6-3 Supreme Court decision in favor of The Times and The Post as a "rather hollow victory for the press." Unfortunately, he doesn't pursue this point, and concludes, somewhat inconsistently, that "the newspapers did gain in a new knowledge of the faith in the First Amendment as a fundamental principle of freedom that sets the United States apart from other countries."

That surely is not the last word on one of the most important confrontations in American history, which pitted a former bureaucrat against the whole government, and the government against the American press.